

RECORDS RETENTION AND DISPOSITION SCHEDULE
GENERAL SCHEDULE NO. 15
COUNTY AND MUNICIPAL GOVERNMENTS
SOCIAL SERVICES DEPARTMENTS

The schedule on the attached page(s) is approved with agreement to follow the records retention and disposition conditions listed below:

APPROVED: Conley L. Edwards, State Archivist

EFFECTIVE SCHEDULE DATE: March 24, 2008

PAGE 1 OF 6 PAGES

CONDITIONS FOR RECORDS RETENTION AND DISPOSITION

1. This schedule is continuing authority under the provisions of the Virginia Public Records Act, §§ 42.1-76, et seq. of the *Code of Virginia* for the retention and disposition of the records as stated on the attached page(s).
2. This schedule supersedes previously approved applicable schedules.
3. This schedule is used in conjunction with the *Certificate of Records Disposal* (Form RM-3). A signed RM-3 must be approved by the designated records officer and on file in the agency or locality before records can be destroyed. After the records are destroyed, the original signed RM-3 must be sent to Library of Virginia (LVA).
4. Any records created before the Constitution of 1913 came into effect (January 1, 1904) must be offered, in writing, to the LVA before applying these disposition instructions. Offered records can be destroyed 60 days after date of the offer if no response is received from the LVA. A copy of the offer must be attached to the RM-3 form when it is submitted to the LVA.
5. All known audits and audit discrepancies regarding the listed records must be settled before the records can be destroyed.
6. All known investigations or court cases involving the listed records must be resolved before the records can be destroyed. Knowledge of subpoenas, investigations or litigation that reasonably may involve the listed records suspends any disposal or reformatting processes until all issues are resolved.
7. The retentions and dispositions listed on the attached page(s) apply regardless of physical format, i.e., paper, microfilm, audio-visual, electronic storage, optical imaging, etc. Unless prohibited by law, records may be reformatted at agency or locality discretion. All reformatting must be done in accordance with The Library of Virginia Guidelines for Electronic Records and Microfilm and with §§ 17VAC15-20-10, et seq. of the *Virginia Administrative Code*, "Standards for the Microfilming of Public Records for Archival Retention." All records must be accessible throughout their retention period in analog or digital format. Whether the required preservation is through prolongation of appropriate hardware and/or software, reformatting or migration, it is the obligation of the agency or locality to do so.
8. Custodians of records must ensure that information in confidential or privacy protected records is protected from unauthorized disclosure through the ultimate destruction of the information. Normally, destruction of confidential or privacy-protected records will be done by shredding or pulping. "Deletion" of confidential or privacy-protected information in computer files or other electronic storage media is not acceptable. Electronic records must be "wiped" clean or the storage media physically destroyed.
9. Under the *Virginia Public Records Act*, (§ 42.1-79) the Library of Virginia is the official custodian and trustee of all state agency records transferred to the Archives, Library of Virginia. The Library may purge select records in accordance with professional archival practices in order to ensure efficient access.
10. Unless otherwise directed, files are closed out at the end of each calendar or fiscal year as appropriate. Retention periods start at that time.



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GENERAL SCHEDULE NO. 15

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EFFECTIVE SCHEDULE DATE: March 24, 2008

PAGE 2 OF 6 PAGES

RECORDS SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION AND DISPOSITION
<u>Adoption Records – Agency and Non-Agency Placement</u> This series documents local social services participation in adoptions or services provided during adoptions by agency placement or non-agency placement. <i>Code of Virginia</i> §63.2-1221	101009	After closure of file, transfer to Office of the Virginia Commissioner of Social Services.
<u>Adoption Records – Supervision for Outside Agency</u> This series documents local social services supervision of adoptions for an outside agency (normally out-of-state). <i>Code of Virginia</i> §63.2-1200	101010	Send final report to outside agency. Destroy after notification of receipt of report has been received. Destroy in compliance with No. 8 on schedule cover page
<u>Adoptive Home, Foster Home and Day Care Provider Records</u> This series documents placement of children and payment for services to various child care providers. <i>Code of Virginia</i> §63.2-1700	101011	Retain 3 fiscal years after end of last placement or when last active, then destroy in compliance with No. 8 on schedule cover page.
<u>Adult Day Care, Adult Home and Nursing Home Reviews</u> This series documents local social services review of operations of regulated facilities. <i>Code of Virginia</i> §63.2-1604 and 63.2-1605	101012	Retain 3 years or until completion of next review, whichever is greater; then destroy.
<u>Board Actions, Schedule of</u> This series documents the board's recommended actions on each case brought before it.	101013	Retain 3 years after final action then destroy in compliance with No. 8 on schedule cover page.
<u>Case Action Forms – Not Included with Case Records</u> This series documents actions taken in records to specific cases.	101014	Retain 3 years then destroy in compliance with No. 8 on schedule cover page.



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GENERAL SCHEDULE NO. 15

COUNTY AND MUNICIPAL GOVERNMENTS

SOCIAL SERVICES DEPARTMENTS

EFFECTIVE SCHEDULE DATE: March 24, 2008

PAGE 3 OF 6 PAGES

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<p><u>Child Protective Service Cases – Unfounded: No Request to Maintain File</u></p> <p>This series consists of invalid child abuse and neglect complaints, and valid child abuse and neglect complaints where the complaint is determined to be unfounded and no other complaints concerning the alleged abuser or alleged victim are received for one year. <i>Code of Virginia</i> §63.2-1505</p>	101016	Retain 1 year after last complaint then destroy in compliance with No. 8 on schedule cover page. <i>Code of Virginia</i> § 63.2-1514B
<p><u>Child Protective Service Cases – Unfounded: Request to Maintain File</u></p> <p>This series consists of valid child abuse and neglect complaints where the complaint is determined to be unfounded and the alleged abuser requests the file be maintained. <i>Code of Virginia</i> §63.2-1505</p>	101017	Retain additional 2 years from the date of complaint then destroy in compliance with No. 8 on schedule cover page <i>Code of Virginia</i> § 63.2-1514B
<p><u>Child Protective Service Cases – Founded, Level 1</u></p> <p>This series consists of child abuse and neglect complaints determined to be Founded, Level 1. <i>Code of Virginia</i> §63.2-1514A and 22VAC40-700</p>	101020	Retain 18 years after date of complaint then destroy in compliance with No. 8 on schedule cover page. 22VAC40-700-30
<p><u>Child Protective Service Cases – Founded, Level 2</u></p> <p>This series consists of child abuse and neglect complaints determined to be Founded, Level 2. <i>Code of Virginia</i> §63.2-1514A and 22VAC40-700</p>	101021	Retain 7 years after date of complaint then destroy in compliance with No. 8 on schedule cover page. 22VAC40-700-30
<p><u>Child Protective Service Cases – Founded, Level 3</u></p> <p>This series consists of child abuse and neglect complaints determined to be Founded, Level 3. <i>Code of Virginia</i> §63.2-1514A and 22VAC40-700</p>	101022	Retain 3 years after date of complaint then destroy in compliance with No. 8 on schedule cover page. 22VAC40-700-30



RECORDS RETENTION AND DISPOSITION SCHEDULE

GENERAL SCHEDULE NO. 15

COUNTY AND MUNICIPAL GOVERNMENTS

SOCIAL SERVICES DEPARTMENTS

EFFECTIVE SCHEDULE DATE: March 24, 2008

PAGE 4 OF 6 PAGES

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<u>Child Protective Service Cases – Founded with Multiple Complaints</u> This series consists of multiple child abuse and neglect complaints, whether valid or invalid, that involves either the same alleged abuser or same victim.	101023	Retain until the longest Founded-complaint case on the alleged abuser or victim is eligible for destruction, then destroy in compliance with No. 8 on schedule cover page.
<u>Child Protective Services – Family Assessments</u> This series documents the receipt of child abuse and neglect complaints that receive a Family Assessment. <i>Code of Virginia</i> §63.2-1514B.	101019	Retain 3 years from the date of the complaint then destroy in compliance with No. 8 on the schedule cover page.
<u>Client Index</u> This series documents current status of a client. Used for ready reference.	101024	Retain 3 years after last action then destroy or delete.
<u>Commodities Distribution Records</u> This series documents control and distribution of surplus commodities to clients.	101025	Retain for 3 years after the end of the fiscal year then destroy in compliance with No. 8 on schedule cover page (7CFR250.16).
<u>Comprehensive Annual Plan</u> This series documents local board's plan for client services.	101026	Retain 3 years after superseded then destroy.
<u>Financial Assistance Case Records</u> This series documents requests for assistance and the award of financial assistance. <i>Code of Virginia</i> §63.2-614. See also series no 101008, "Lifetime Eligibility Records."	101029	Retain 3 years after last contact and update of "Lifetime Eligibility Records" then destroy in compliance with No. 8 on schedule cover page.
<u>Food Stamp Accountability and Reporting Records</u> This series documents the accountability, reporting, and issuance of food stamps to clients.	101030	Retain 3 years after submission of annual financial status report then destroy. 7CFR277.12



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GENERAL SCHEDULE NO. 15

COUNTY AND MUNICIPAL GOVERNMENTS

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PAGE 5 OF 6 PAGES

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<u>Food Stamp Client Records</u> This series documents client participation in the food stamp program.	101031	Retain 3 years after last contact then destroy in compliance with No. 8 on schedule cover page (7CFR274.6).
<u>Foster Care Cases - Not Reunited with Families</u> This series documents social services supervision and interaction with foster care clients that were never reunited with their families. <i>Code of Virginia</i> §63.2-904	101032	Retain permanently. 22VAC40-130-540D
<u>Foster Care Cases - Reunited with Families</u> This series documents social services supervision and interaction with foster care clients that were reunited with their families. <i>Code of Virginia</i> §63.2-904	101033	Retain for one year after child reaches age of majority then destroy in compliance with No. 8 on schedule cover page. 22VAC40-130-540C
<u>Fraud Cases</u> This series documents social services actions to collect from clients or providers on fraudulent claims or overpayments involving programs not related to public assistance. This may include, but is not limited to, child and foster care benefits, auxiliary grants, and emergency assistance.	101034	Retain 75 years after last action then destroy in compliance with No. 8 on schedule cover page.
<u>Lifetime Eligibility Records</u> This series documents remaining eligibility for federal financial assistance.	101008	Retain 75 years then destroy.
<u>Medicaid Case Records</u> This series documents social services actions in determining eligibility for Medicaid. <i>Code of Virginia</i> §63.2-405	101036	Retain 3 years after last action then destroy in compliance with No. 8 on schedule cover page.
<u>Minutes, Board</u> This series documents decisions of the local Board of Social Services. <i>Code of Virginia</i> §63.2-312	101037	Retain permanently in locality.

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PAGE 6 OF 6 PAGES

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<u>Overpayment Cases - Fraud Involved</u> This series documents actions taken to collect overpayments for benefits to programs related to public assistance when fraud is involved. This may include, but is not limited to, Food Stamps, AFDC/TANF, and Medicaid.	007017	Retain 3 years after claim paid, administratively closed, or written off then destroy in compliance with No. 8 on schedule cover page.
<u>Overpayment Cases - No Fraud</u> The series documents actions taken to collect overpayments for benefits when no fraud is involved.	007016	Retain 3 years after resolution then destroy in compliance with No. 8 on schedule cover page.
<u>Service Case Records</u> This series documents social services interaction with clients on any action not listed as a separate series on this schedule.	101038	Retain 3 years after last action then destroy in compliance with No. 8 on schedule cover page.
<u>Statistical Reports</u> This series documents compilation and submission of statistical reports required by the Virginia Department of Social Services.	101039	Retain 3 years then destroy.